

Atty. Docket No. CH9-2000-0019US1
(590.082)

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejection presented in the outstanding Office Action in light of the following remarks.

Applicants again note the outstanding Office does not acknowledge the claim for priority made in the present application, or the fact that a certified copy of the priority document was submitted at the time the application was filed. Applicants again respectfully request that the claim for priority be acknowledged.

Claims 1-16 were pending in the instant application at the time of the outstanding Office Action. Of these claims, Claims 1, 14, 15, and 16 are independent claims; the remaining claims are dependent claims. Claims 1-16 stand rejected under 35 USC § 102(b) as being anticipated by Reed et al. (hereinafter "Reed"). Reconsideration and withdrawal of this rejection is respectfully requested.

As best understood, Reed appears to be directed to an automated communications systems that transfers data, metadata, and methods from a provider computer to a consumer computer through a network. (Abstract) Forms are filled out by the user containing predetermined response options. These forms are processed, used to produce message objects, and then transmitted back to the provider of the form. (Column 75, lines 1-23) Reed also details a specific type of forwarding of control rules in the network. Lines 23-25 of column 84 explicitly state "[T]he original provider of a communications

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object can also control forwarding the chaining pertaining to the object". Reed then expounds upon how the control rules have several different uses and advantages. There is no teaching or suggestion in Reed that the forwarding of rules in the network is dependent upon the predetermined responses, nor is there any such teaching or suggestion that routers are involved in this forwarding.

Simply setting up the control rules in Reed stands in stark contrast to the present invention. In accordance with at least one presently preferred embodiment of the invention, forwarding rules are used to configure one or more routers that forward response packets to the server, specifying treatments for returned packets dependent upon the predetermined response options in the packets. (Page 5, lines 11-13) The configuring of the routers may include, individually or in combination, to instruct said routers to discard response messages containing predetermined response options, to forward response messages containing a certain response option to a specified host connected to one of said networks, to combine more than one response messages arriving in a given time frame and to forward the combined messages as one message, to store the selected option of said response options in conjunction with the identity of the sender or to determine the amount of received response messages for each response option. (Page 5, lines 11-20)

Claim 1 recites, *inter alia*, setting up packet forwarding rules in said networks specifying a particular treatment for said returned packets dependent on said predetermined response options. Similar language also appears in the other Independent Claims. It is respectfully submitted that Reed clearly falls short of present invention (as

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defined by the independent claims) in that, *inter alia*, it does not disclose setting up packet forwarding rules in said networks specifying a particular treatment for said returned packets dependent on said predetermined response options. Accordingly, Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction." *W.L. Gore & Associates, Inc. v. Garlock*, 721 F.2d 1540, 1554 (Fed. Cir. 1983); *see also In re Marshall*, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

Further, with respect to claim 6, and the claims depending upon it (Claims 7-11), Reed also does not disclose the limitation whereby setting up forwarding rules includes the step of configuring one or more routers that forward said response packets. (Claim 6). Rather, as evidenced by the citations made towards this claim in the Outstanding Office Action, Reed appears to disclose using a program server as a router in the specific case of routing email between an email server and an email program. There is no other teaching or suggestion in Reed that pertains to routers or even proxy servers as maintained in the present invention. Additionally, there are several claims, specifically claims 3, 8, 10, and 11, for which there are no citations or suggestions that Reed discloses the limitations of those claims in the Outstanding Office Action. Neither is there any teaching or suggestion in Reed that the limitations of these claims are disclosed.

In view of the foregoing, it is respectfully submitted that independent Claims 1, 14, 15, and 16 fully distinguish over the applied art and are thus allowable. By virtue of

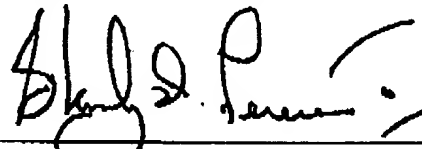
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dependence from Claim 1, it is thus also submitted that Claims 2-13 are also allowable at this juncture.

The "prior art made of record" has been reviewed. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant as to have been applied against the claims of the instant application. To the extent that the Office may apply such prior art against the claims in the future, Applicants will be fully prepared to respond thereto.

In summary, it is respectfully submitted that the instant application, including Claims 1-16, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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